

**MINUTES OF THE CITY COMMISSION MEETING
DECEMBER 8, 2003**

The City of Leesburg Commission held a regular meeting Monday, November 24, 2003, in the Commission Chambers at City Hall. Mayor Pro-Tem Knowles called the meeting to order at 5:31 p.m. with the following members present:

Commissioner Bob Lovell
Commissioner Ben Perry
Commissioner Lewis Puckett
Mayor Pro-Tem David Knowles

Mayor Connelly was detained due to traffic. Also present were City Manager (CM) Ron Stock, City Clerk (CC) Betty Richardson, City Attorney (CA) Fred Morrison, Deputy City Clerk (DCC) Diane Gibson Smith, the news media, and others.

Commissioner Lovell gave the invocation followed by the Pledge of Allegiance to the flag.

**APPROVED CITY COMMISSION MINUTES OF THE REGULAR MEETING HELD
NOVEMBER 24, 2003**

Commissioner Perry moved to approve the City Commission minutes of the regular meeting held November 24, 2003. Commissioner Puckett seconded the motion and it carried unanimously.

PRESENTATIONS:

- A. Police Chief Idell presented Ralph Barry a service award for ten years in the Police Department.
- B. Fire Chief Sargent presented service awards to Brien Bowers and Jeff Morgan for fifteen years in the Fire Department.

CONSENT AGENDA:

Commissioner Perry moved to approve the Consent Agenda and Commissioner Lovell seconded the motion. The roll call vote was:

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| Commissioner Lovell | Yea |
| Commissioner Perry | Yea |
| Commissioner Puckett | Yea |
| Mayor Pro-Tem Knowles | Yea |

Four yeas, no nays, the Commission approved the Consent Agenda, as follows:

PURCHASING ITEMS:

- 1. LB-04-03 Outdoor receptacle cabinets for the Electric Dept. awarded to Hughes Supply for \$35,052.00
- 2. Sixteen Vehicles and equipment for various departments as listed on attached sheet awarded to various vendors for \$573,359.00
- 3. Telephone system upgrades awarded to Southeastern Telecom, Inc. for \$23,175.58

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RESOLUTIONS:

RESOLUTION 6986

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement with Clover Systems of Orlando to provide computer hardware to the City of Leesburg and providing an effective date.

RESOLUTION 6987

A resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute an agreement with Lakeview Technology to provide computer mirroring software to the City of Leesburg and providing an effective date.

RESOLUTION 6988

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to approve an agreement between the City of Leesburg and Herbert-Halback, Inc. (HHI) for the purposes of providing planning services for the City of Leesburg Trail Master Plan; and providing an effective date.

RESOLUTION 6989

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to approve an agreement between the City of Leesburg and Florida Department of Transportation for the purposes of mast arms for traffic signals; and providing an effective date.

RESOLUTION 6990

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute a fifth amendment to the agreement for contractor services with Hewitt Power and Communications, Inc., to provide overhead electrical services, and providing an effective date.

RESOLUTION 6991

A resolution of the City Commission of the City of Leesburg, Florida authorizing the Mayor and City Clerk to execute Amendment One to the agreement between the City of Leesburg and Charles D. Johnson for the purchase of ten (10) scoreboards, not to exceed Fifty thousand and no/100 Dollars, (\$50,000.00) for Sleepy Hollow Recreation complex; and providing an effective date.

RESOLUTION 6992

A resolution of the City Commission of the City of Leesburg, Florida authorizing the City Manager to submit a Tree City USA application for recertification to the National Arbor Day Foundation for the purpose of renewing the City of Leesburg's designation as a Tree City USA; and providing an effective date.

RESOLUTION 6993

A resolution by the City of Leesburg, Lake County, Florida, amending the rates for data transport service; and providing an effective date.

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RESOLUTION 6994

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an addendum to the Bass Tournament agreement; and providing an effective date.

OTHER AGENDA ITEMS:

Approved interfund loan from the Electric Fund to the Communications Fund for \$860,149.28

PUBLIC HEARINGS:

APPROVED UTILIZING FISCAL IMPACT ANALYSIS FOR LARGER ANNEXATIONS

Community Development Director (CDD) Laura McElhanon introduced Dr. Hank Fishkind. Mr. Fishkind gave a presentation on how he puts together models for fiscal impact analyses and how other counties and cities utilize his models. He noted the key is to link the budget with the land use decision making. He noted his models are useful in that they use local costs.

CM Stock stated staff is recommending using this model for larger annexations such as those larger than one acre or more than four parcels. Commissioner Perry moved to approve staff's recommendation. Commissioner Lovell seconded the motion and it passed unanimously.

PRESENTATION ON JOINT PLANNING ACTIVITIES WITH LAKE COUNTY

Deputy City Manager (DCM) Robert Johnson explained the major points of the proposed agreement with Lake County and noted the difficulties in achieving this agreement. He stated the reasons for this agreement are to improve coordination and communication with Lake County, achieve better utility planning with surrounding jurisdiction, improve growth management and annexation planning, and to define procedures for County roads. This is a framework for communication between the City and County.

Commissioner Perry stated there are certain cases where the City is selling utilities to areas outside the City limits. At times, this is advantageous to the City without annexation, which eliminates some General Fund costs. DCM Johnson stated this is not a process to establish a system to determine if to annex or not.

CM Stock stated this agreement gives the option for growth management control not already there. The agreement itself may not control growth. Chapter 180 designation by a City is currently the only item in State Statutes to compel use of utilities. There are two major problems – limits it to three miles from the corporate border and legally compels you to provide utilities to any development that occurs there. By adopting a few additional zoning rules along with this agreement, some decision making could be affected, such as the extension of the utility lines needing to be paid at 100% of cost.

Commissioner Perry stated the proposed agreement is only the beginning of talks between the City and the County on this topic.

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Commissioner Lovell left the room at 6:12 p.m. and returned at 6:14 p.m.

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ADOPTED RESOLUTION 6995 AUTHORIZING EXECUTION OF AN AGREEMENT WITH LAKE COUNTY, FLORIDA TO PROVIDE JOINT PLANNING ACTIVITIES RELATED TO THE USE AND DENSITY OF LAND LYING WITHIN A DESCRIBED AREA

Commissioner Perry introduced the resolution to be read by title only. CC Richardson read the resolution as follows:

A resolution of the City Commission of the City of Leesburg, Florida, authorizing the Mayor and City Clerk to execute an agreement between the City of Leesburg and Lake County, Florida, to provide joint planning activities related to the use and density of land lying within a described area; and providing an effective date.

Commissioner Perry moved to approve the resolution and Commissioner Lovell seconded the motion. The roll call vote was:

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| Commissioner Perry | Yea |
| Commissioner Puckett | Yea |
| Commissioner Lovell | Yea |
| Mayor Pro-Tem Knowles | Yea |

Four yeas, no nays, the Commission approved the resolution.

ADOPTED RESOLUTION 6996 AUTHORIZING EXECUTION OF AN ANNEXATION AGREEMENT WITH BILL CAMPBELL

Commissioner Lovell introduced the resolution to be read by title only. CC Richardson read the resolution as follows:

A resolution of the City Commission of the City of Leesburg, Florida, authorizing execution of an annexation agreement between the City of Leesburg and Bill Campbell, as developer; and providing an effective date.

Commissioner Lovell moved to approve the resolution and Commissioner Perry seconded the motion. The roll call vote was:

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|-----------------------|-----|
| Commissioner Puckett | Yea |
| Commissioner Lovell | Yea |
| Commissioner Perry | Yea |
| Mayor Pro-Tem Knowles | Yea |

Four yeas, no nays, the Commission approved the resolution.

ADOPTED ORDINANCE 03-105 ANNEXING APPROXIMATELY .46 ACRE OWNED BY WILLIAM F. CAMPBELL, WEST OF THE INTERSECTION OF ICE CREAM ROAD AND THIRD STREET IN SECTION 19-19-25 AND REZONING FROM COUNTY C-2 TO CITY C-3; PLACING PROPERTY IN COMMISSION DISTRICT 1 (JOHNSON'S KIA) (QUASI-JUDICIAL)

CC Richardson read the ordinance, by title only, as follows:

An ordinance annexing certain property owned by William F. Campbell, said property consisting of approximately .46 acres and being generally located approximately 220 feet west of the intersection of Ice Cream Road and Third Street, lying in Section 19, Township 19 south, Range 25 east, Lake County, Florida, which is contiguous to the City limits of the City of Leesburg, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said City; providing that such annexed property shall be subject to all laws and ordinances of said City as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be rezoned from County C-2 (Community Commercial) to City C-3 (Highway Commercial); providing that said property shall be placed in Commission District 1; and providing for an effective date.

Commissioner Perry moved to approve the ordinance and Commissioner Lovell seconded the motion. The roll call vote was:

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| Commissioner Lovell | Yea |
| Commissioner Perry | Yea |
| Commissioner Puckett | Yea |
| Mayor Pro-Tem Knowles | Yea |

Four yeas, no nays, the Commission approved the ordinance.

ADOPTED ORDINANCE 03-106 AMENDING THE COMPREHENSIVE PLAN CHANGING THE FUTURE LAND USE MAP DESIGNATION OF APPROXIMATELY .46 ACRE APPROXIMATELY 220 FEET WEST OF THE INTERSECTION OF ICE CREAM ROAD AND THIRD STREET IN SECTION 19-19-25 FROM COUNTY URBAN TO CITY COMMERCE (JOHNSON'S KIA)

CC Richardson read the ordinance, by title only, as follows:

An ordinance amending the comprehensive plan for the City of Leesburg, changing the future land use map designation of certain property containing approximately .46 acre and generally located approximately 220 feet west of the intersection of Ice Cream Road and Third Street, lying in Section 19, Township 19 south, Range 25 east, Lake County, Florida, from County Urban to City Commerce; and providing an effective date (Johnson's Kia)

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Commissioner Perry moved to approve the ordinance and Commissioner Lovell seconded the motion. The roll call vote was:

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|-----------------------|-----|
| Commissioner Perry | Yea |
| Commissioner Puckett | Yea |
| Commissioner Lovell | Yea |
| Mayor Pro-Tem Knowles | Yea |

Four yeas, no nays, the Commission approved the ordinance.

ADOPTED RESOLUTION 6997 AUTHORIZING EXECUTION OF AN ANNEXATION AGREEMENT WITH STEVEN J. RICHEY, AS TRUSTEE FOR LESTER W. HUEY, JR.

Commissioner Perry introduced the resolution to be read by title only. CC Richardson read the resolution as follows:

A resolution of the City Commission of the City of Leesburg, Florida, authorizing execution of an annexation agreement between the City of Leesburg and Steven J. Richey as trustee for Lester Huey Jr.; and providing an effective date.

Commissioner Perry moved to approve the resolution and Commissioner Lovell seconded the motion. The roll call vote was:

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| Commissioner Puckett | Yea |
| Commissioner Lovell | Yea |
| Commissioner Perry | Yea |
| Mayor Pro-Tem Knowles | Yea |

Four yeas, no nays, the Commission approved the resolution.

ADOPTED ORDINANCE 03-107 ANNEXING APPROXIMATELY 3.84 ACRES OWNED BY STEVEN J. RICHEY, AS TRUSTEE FOR LESTER W. HUEY, JR., AT THE NORTHEAST CORNER OF RICHEY ROAD AND EAST RICHEY ROAD IN SECTION 28-19-24 AND REZONING FROM COUNTY R-6 TO CITY G2; PLACING PROPERTY IN COMMISSION DISTRICT 3 (QUASI-JUDICIAL)

CC Richardson read the ordinance, by title only, as follows:

An ordinance annexing certain property owned by Steven J. Richey, as trustee for Lester W. Huey, Jr., said property consisting of approximately 3.84 acres and being generally located northeast corner of the intersection of Richey Road and East Richey Road, lying in Section 28, Township 19 south, Range 24 east, Lake County, Florida, which is contiguous to the City limits of the City of Leesburg, Florida; providing that said property so annexed shall be liable for its proportionate share of the existing and future indebtedness of said City; providing that such annexed property shall be subject to all laws and ordinances of said City

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as if all such territory had been a part of the City of Leesburg at the time of passage and approval of said laws and ordinances; providing that such annexed territory shall be rezoned from County R-6 (Urban Residential) to City C-2 (Community Commercial); providing that said property shall be placed in Commission District 3; and providing for an effective date.

Commissioner Lovell moved to approve the ordinance and Commissioner Perry seconded the motion. The roll call vote was:

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| Commissioner Lovell | Yea |
| Commissioner Perry | Yea |
| Commissioner Puckett | Yea |
| Mayor Pro-Tem Knowles | Yea |

Four yeas, no nays, the Commission approved the ordinance.

ADOPTED ORDINANCE 03-108 AMENDING THE COMPREHENSIVE PLAN CHANGING THE FUTURE LAND USE MAP DESIGNATION OF APPROXIMATELY 3.84 ACRES AT THE NORTHEAST CORNER OF THE INTERSECTION OF RICHEY ROAD AND EAST RICHEY ROAD IN SECTION 28-19-24 FROM COUNTY URBAN TO CITY COMMERCE (LESTER HUEY JR./RICHEY PROPERTY)

CC Richardson read the ordinance, by title only, as follows:

An ordinance amending the comprehensive plan for the City of Leesburg, changing the future land use map designation of certain property containing approximately 3.84 acre and generally located at the intersection of Richey Road and East Richey Road, lying in Section 28, Township 19 south, Range 24 east, Lake County, Florida, from County Urban to City Commerce; and providing an effective date (Richey property)

Commissioner Lovell moved to approve the ordinance and Commissioner Perry seconded the motion. The roll call vote was:

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| Commissioner Perry | Yea |
| Commissioner Puckett | Yea |
| Commissioner Lovell | Yea |
| Mayor Pro-Tem Knowles | Yea |

Four yeas, no nays, the Commission approved the ordinance.

ADOPTED ORDINANCE 03-109 ACCEPTING A WARRANTY DEED FROM SHORE ACRES ESTATES, INC. (PHILIP K. HERLONG, AGENT) FOR LAND IN SECTION 24-19-24 ADJACENT TO THE CANAL STREET WASTEWATER TREATMENT PLANT

CC Richardson read the ordinance, by title only, as follows:

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An ordinance of the City of Leesburg, Florida, accepting a warranty deed given by Shore Acres Estates, Inc., as grantor, to the City of Leesburg, as grantee, pertaining to land located in Section 24, Township 19 south, Range 24 east, Lake County, Florida; and providing an effective date.

Commissioner Lovell moved to approve the ordinance and Commissioner Perry seconded the motion. The roll call vote was:

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| Commissioner Perry | Yea |
| Commissioner Puckett | Yea |
| Commissioner Lovell | Yea |
| Mayor Pro-Tem Knowles | Yea |

Four yeas, no nays, the Commission approved the ordinance.

ADOPTED ORDINANCE 03-110 ACCEPTING A WARRANTY DEED FROM CABLE SERVICES, INC. FOR LAND IN CLARK'S SUBDIVISION SECTION 26-19-24 (415 WEST MAGNOLIA STREET)

CC Richardson read the ordinance, by title only, as follows:

An ordinance of the City of Leesburg, Florida, accepting a warranty deed given by Cable Services, Inc., as grantor, to the City of Leesburg, as grantee, pertaining to land located in Section 26, Township 19 south, Range 24 east, Lake County, Florida; and providing an effective date.

Commissioner Perry moved to approve the ordinance and Commissioner Lovell seconded the motion. The roll call vote was:

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| Commissioner Lovell | Yea |
| Commissioner Perry | Yea |
| Commissioner Puckett | Yea |
| Mayor Pro-Tem Knowles | Yea |

Four yeas, no nays, the Commission approved the ordinance.

ADOPTED ORDINANCE 03-111 ACCEPTING AN UTILITY EASEMENT FROM AMSOUTH BANK IN SECTION 23-19-25 (U.S. HWY 441)

CC Richardson read the ordinance, by title only, as follows:

An ordinance of the City of Leesburg, Florida, accepting a utility easement from Amsouth Bank, as grantor, to the City of Leesburg, as grantee, pertaining to land located in Section 23, township 19 south, Range 25 east, Lake County, Florida; and providing an effective date.

Commissioner Perry moved to approve the ordinance and Commissioner Lovell seconded the motion. The roll call vote was:

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| Commissioner Perry | Yea |
| Commissioner Puckett | Yea |
| Commissioner Lovell | Yea |
| Mayor Pro-Tem Knowles | Yea |

Four yeas, no nays, the Commission approved the ordinance.

ADOPTED ORDINANCE 03-112 REVISING CHAPTER 2, ARTICLE IV OF THE CODE OF ORDINANCES PERTAINING TO ADVISORY BOARDS; LIBRARY BOARD, PERSONNEL COMMITTEE, PLANNING COMMISSION, RECREATION ADVISORY BOARD, HISTORIC PRESERVATION BOARD, AND THE AIRPORT ADVISORY BOARD

CC Richardson read the ordinance, by title only, as follows:

An ordinance of the City of Leesburg, Florida, revising Chapter 2, Article IV of the Code of Ordinances pertaining to advisory boards; amending those ordinances governing advisory boards in general; the library board; the personnel committee; the planning commission; the recreation advisory board; the historic preservation board; and the airport advisory board; consolidating certain provisions applicable to all such boards with regard to appointment and terms of office; updating antiquated language; clarify the responsibilities of the various advisory boards; repealing conflicting ordinances; providing a savings clause; and providing an effective date.

Commissioner Perry moved to approve the ordinance and Commissioner Lovell seconded the motion. The roll call vote was:

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| Commissioner Puckett | Yea |
| Commissioner Lovell | Yea |
| Commissioner Perry | Yea |
| Mayor Pro-Tem Knowles | Yea |

Four yeas, no nays, the Commission approved the ordinance.

ADOPTED RESOLUTION 6998 ADOPTING THE HANDBOOK FOR APPOINTED BOARDS AND COMMISSIONS

Commissioner Perry introduced the resolution to be read by title only. CC Richardson read the resolution as follows:

A resolution of the City Commission of the City of Leesburg, Florida, adopting a handbook for the conduct of appointed boards, commissions, committees and task forces; and providing an effective date.

Commissioner Perry moved to approve the resolution and Commissioner Lovell seconded the motion. The roll call vote was:

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| Commissioner Lovell | Yea |
| Commissioner Perry | Yea |
| Commissioner Puckett | Yea |
| Mayor Pro-Tem Knowles | Yea |

Four yeas, no nays, the Commission approved the resolution.

ADOPTED ORDINANCE 03-113 AMENDING CHAPTER 2, ARTICLE IV, DIVISION 10 OF THE CODE OF ORDINANCES PERTAINING TO COMMUNITY REDEVELOPMENT AGENCIES TO CLARIFY AND UPDATE REGARDING THE GOVERNING BOARDS OF SUCH AGENCIES

CC Richardson read the ordinance, by title only, as follows:

An ordinance of the City of Leesburg, Florida, amending Chapter 2, Article IV, Division 10 of the Code of Ordinances pertaining to Community Redevelopment Agencies, to clarify and update provisions regarding the governing boards of such agencies; repealing conflicting ordinances; providing a savings clause; and providing an effective date.

Commissioner Perry moved to approve the ordinance and Commissioner Lovell seconded the motion. The roll call vote was:

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| Commissioner Perry | Yea |
| Commissioner Puckett | Yea |
| Commissioner Lovell | Yea |
| Mayor Pro-Tem Knowles | Yea |

Four yeas, no nays, the Commission approved the ordinance.

TABLED AN ORDINANCE AMENDING §3-76(15) OF THE CODE OF ORDINANCES TO ELIMINATE THE EXEMPTION OF BENCHES FROM THE PROVISIONS OF THE SIGN ORDINANCE; TO CLARIFY THAT BUS STOP SHELTERS AND SIMILAR STRUCTURES ARE SUBJECT TO THE SIGN ORDINANCE UNTIL DECEMBER 22, 2003 CITY COMMISSION MEETING

CC Richardson read the ordinance, by title only, as follows:

An ordinance of the City of Leesburg, Florida amending §3-76(15) of the Code of Ordinances, to eliminate the exemption of benches from the provisions of the sign ordinance; to clarify that bus stop shelters and similar structures are subject to the sign ordinance; repealing conflicting ordinances; providing a severance clause; and providing an effective date.

Commissioner Puckett moved to approve the ordinance.

Mayor Pro-tem Knowles stated he would like to add an endorsement to the ordinance stating except as specifically permitted by City Commission.

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CA Morrison recommended tabling this ordinance in order for the appropriate wording to be added.

Commissioner Lovell moved to withdrawing the motion and table the ordinance until the December 22, 2003 City Commission meeting so the appropriate wording can be added. Commissioner Perry seconded the motion and it passed unanimously.

ADOPTED ORDINANCE 03-114 AMENDING §5-3 OF THE CODE OF ORDINANCES PERTAINING TO SETBACKS FOR ESTABLISHMENTS SELLING ALCOHOLIC BEVERAGES

CC Richardson read the ordinance, by title only, as follows:

An ordinance of the City of Leesburg, Florida, amending §5 – 3 of the Code of Ordinances pertaining to setbacks for establishments selling alcoholic beverages; adding setbacks from day care centers, public parks and playgrounds; increasing the setback distances; and creating a setback between establishments selling alcohol for consumption on the premises; repealing conflicting ordinances; providing a savings clause; and providing an effective date.

Commissioner Lovell stated he was abstaining from voting on this item.

Commissioner Puckett questioned how the City could stop some people from imbibing in one area but not others in the same area.

CA Morrison stated this deals with grandfathering in older businesses but making regulations stricter for any new businesses. CA Morrison added this is an ordinance of general application and is not in reference to any application on file or any particular parcel being sold.

Commissioner Puckett moved to deny the ordinance. Commissioner Perry seconded the motion.

Commissioner Knowles stated this ordinance does not affect those businesses already in place.

Tim Travis, a concerned citizen, stated he lives near the former Leesburg Chinese Buffet. He is against that location being turned into a nightclub. He stated he realizes there will be a problem getting some restaurants to open because of the large distance.

CA Morrison stated clubs receiving 51% of their revenue from the sale of food have been exempted from this ordinance. Also, the setback distances have been reduced. CA Morrison added violations affect licensing not open container laws.

Commissioner Perry withdrew his second from the motion to deny. Commissioner Perry moved to approve the ordinance.

Mayor Pro-Tem Knowles handed the gavel to Commissioner Puckett to second the motion to approve the ordinance. The roll call vote was as follows:

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| Commissioner Lovell | Abstained |
| Commissioner Perry | Yea |
| Commissioner Knowles | Yea |
| Presiding Commissioner Puckett | No |

Two yeas, one nay, and one abstention, the Commission approved the ordinance.

ADOPTED ORDINANCE 03-115 AMENDING §2-227 OF THE CODE OF ORDINANCES PERTAINING TO REIMBURSEMENT OF TRAVEL AND RELATED EXPENSES FOR CITY EMPLOYEES AND COMMISSIONERS

CC Richardson read the ordinance, by title only, as follows:

An ordinance of the City of Leesburg, Florida, amending section 2-227 of the City Code pertaining to reimbursement of travel and related expenses for City employees and commissioners; providing that the City Commission will adopt a travel policy by resolution and may subsequently amend the travel policy by resolution; repealing conflicting ordinances, providing a savings clause, and providing an effective date.

Commissioner Perry stated he feels staff is receiving too much money in reimbursed travel and related expenses. The reimbursements are too liberal.

CM Stock stated most groups meet in the larger cities. The proposed reimbursement levels reflect actual costs occurred when out of Leesburg.

Mayor Pro-Tem Knowles stated most reimbursements are for conventions in locations, which make it difficult to leave for meals.

Commissioner Lovell moved to approve the ordinance and Commissioner Puckett seconded the motion. The roll call vote was:

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| Commissioner Perry | No |
| Commissioner Puckett | Yea |
| Commissioner Lovell | Yea |
| Mayor Pro-Tem Knowles | Yea |

Three yeas, one nay, the Commission approved the ordinance.

ADOPTED RESOLUTION 6999 ADOPTING POLICY 901 TRAVEL POLICY AND POLICY 902 NON-TRAVEL BUSINESS MEALS AND REFRESHMENTS POLICY OF THE PERSONNEL POLICY MANUAL

Commissioner Lovell introduced the resolution to be read by title only. CC Richardson read the resolution as follows:

A resolution of the City Commission of the City of Leesburg, Florida, adopting Policy 901 Travel Policy and Policy 902 Non-Travel Business Meals and

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Refreshments Policy of the Personnel Policy Manual; and providing an effective date.

Commissioner Puckett moved to approve the resolution and Commissioner Lovell seconded the motion. The roll call vote was:

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| Commissioner Puckett | Yea |
| Commissioner Lovell | Yea |
| Commissioner Perry | Yea |
| Mayor Pro-Tem Knowles | Yea |

Four yeas, no nays, the Commission approved the resolution.

INTRODUCED AN ORDINANCE ACCEPTING DEED FOR THE FORMER SERVICE MERCHANDISE PROPERTY.

Commissioner Perry introduced the ordinance to be read by title only. CC Richardson read the ordinance as follows:

An ordinance of the City of Leesburg, Florida, accepting a quitclaim deed given by SM LTCB Leesburg, LLC (Service Merchandise), a grantor, to the City of Leesburg, as grantee pertaining to land located in Section 16, Township 19 South, Range 25 East, Lake County, Florida; and providing an effective date.

INTRODUCED AN ORDINANCE AMENDING THE FISCAL YEAR 2003-04 BUDGET FOR THE GENERAL, CAPITAL PROJECTS, ELECTRIC, GAS, WATER, WASTEWATER AND COMMUNICATION FUNDS

Commissioner Lovell introduced the ordinance to be read by title only. CC Richardson read the ordinance as follows:

An ordinance of the City Commission of the City of Leesburg, Florida amending the Fiscal Year 2003-04 budget for the General, Capital Projects, Electric, Gas, Water, Wastewater, Communications Funds, and providing an effective date.

CM Stock stated this is a change from the way carryovers in the budget have been handled in the past. The process will now be to wait until the end of the year and then come back with any carryover amounts to be added to the budget.

INTRODUCED AN ORDINANCE AMENDING §25-37 SCHEDULES OF REGULATIONS FOR THE PUBLIC DISTRICT; AMENDING THE PERMITTED PRINCIPAL, ACCESSORY, AND CONDITIONAL USES WITHIN THE PUBLIC DISTRICT

Commissioner Perry introduced the ordinance to be read by title only. CC Richardson read the ordinance as follows:

An ordinance of the City of Leesburg, Florida, amending §25-37 schedules of regulations for the public district; amending the permitted principal, accessory and conditional uses within the public district; repealing conflicting ordinances; providing a savings clause; and providing an effective.

INTRODUCED AN ORDINANCE AMENDING CHAPTER §25 ZONING OF THE CODE OF ORDINANCES; ADDING SECTION 25-58 ADOPTING DESIGN STANDARDS PERTAINING TO LARGE RETAIL OR BIG BOX DESIGN STANDARDS

Commissioner Lovell introduced the ordinance to be read by title only. CC Richardson read the ordinance as follows:

An ordinance of the City of Leesburg, Florida, amending Chapter §25 Zoning of the Code of Ordinances, by adding Section 25-58 adopting design standards pertaining to large retail or big box design standards; specifying the design-standards aesthetic character; site design and relationship to the surrounding community; nonconforming uses repealing conflicting ordinances; providing a savings clause; and providing an effective date.

INTRODUCED AN ORDINANCE AMENDING §19-19 OF THE CODE OF ORDINANCES TO PROHIBIT FLAG LOTS FOR RESIDENTIAL USES

Commissioner Perry introduced the ordinance to be read by title only. CC Richardson read the ordinance as follows:

An ordinance of the City of Leesburg, Florida, amending §19-19 of the Code of Ordinances to prohibit flag lots for residential uses; repealing conflicting ordinances; providing a savings clause; and providing an effective date.

Commissioner Perry questioned what is a flag lot. CA Morrison stated a flag lot is where there is a road going through another parcel to obtain entrance to a back parcel.

INTRODUCED AN ORDINANCE AMENDING §19-49 OF THE CODE OF ORDINANCES TO PROVIDE FOR APPROVED PRIVATE ROADS AND FOR FLAG LOT STANDARDS FOR COMMERCIAL AND INDUSTRIAL USES

Commissioner Perry introduced the ordinance to be read by title only. CC Richardson read the ordinance as follows:

An ordinance of the City of Leesburg, Florida, amending §19-49 of the Code of Ordinances to provide for approved private roads and for flag lot standards for commercial and industrial uses; repealing conflicting ordinances; providing a savings clause; and providing an effective date.

CA Morrison stated this change will only affect future developments.

APPROVED RANKING OF FIRMS TO PROVIDE DESIGN/BUILD SERVICE FOR THE AIR TRAFFIC CONTROL TOWER

Commissioner Perry questioned how the ranking of the firms correlated to the budgeted amount. DCM Johnson stated staff will need to go back to the grantor for additional funds.

CM Stock stated staff is requested the Commission to sign the contract for the amount. Then to take it back to the grantor for an increase to the award. The City portion will be 20% of final price.

Commissioner Perry moved to approve the ranking of the firms and to begin contract negotiations with the top firms as presented. Commissioner Puckett seconded the motion and it passed unanimously. The firms were ranked as follows: Wagner Construction, Leesburg, FL
AJT & Associates, Cape Canaveral, FL
W & J Construction Corporation, Rockledge, FL

CITY ATTORNEY ITEMS: None

CITY MANAGER ITEMS:

- A. CM Stock stated Leesburg Regional Medical Center is requesting to lease the old Criminal Investigation Division building to the Community Development Corporation (CDC)

Commissioner Lovell moved to approve this request. Commissioner Perry seconded the motion and it passed unanimously.

- B. CM Stock requested Electric and Gas Director (EGD) Lloyd Shank to update the Commission on US Highway 441 lighting. EGD Shank stated FDOT has decided not to put in curbs and gutters so the planned decorative lighting will not be usable. EGD Shank showed the lighting to be used and noted it will still be in the hunter green color.

EGD Shank stated the City has a JPA with FDOT for reimbursement for street lighting within the area of College Drive to Mill Street, which provides for stand alone light fixtures.

DCM Johnson stated staff is working with FDOT to upgrade the area. Commissioner Lovell volunteered to attend the meeting with DCM Johnson.

- C. CM Stock announced a Commission orientation is to be held December 18, 2003.
- D. CM Stock requested a work session with Kirkland Pettis to discuss utility tax be set in January 2004. The meeting was set for Tuesday, January 20, 2004. Kirkland Pettis will also discuss outstanding bonds.

ROLL CALL:

Commissioner Lovell – stated communication is better than has ever been. He would like to see a mandated method of communicating. He stated the Public Information Officer could inform the Commissioners of any notable happenings. The City should establish a firm policy on this to avoid confusion.

MINUTES OF THE CITY COMMISSION MEETING HELD DECEMBER 8, 2003

Commissioner Perry – none

Commissioner Puckett – asked for an update on the airport construction equipment, which has left. CA Morrison stated the City can entertain a motion to insist the equipment be moved. Commissioner Puckett moved to authorize the City Attorney to request the equipment be moved. Commissioner Lovell seconded the motion and it passed unanimously.

Mayor Pro-Tem Knowles – None

Commissioner Perry moved to adjourn the meeting and Commissioner Puckett seconded the motion. The meeting adjourned at 7:20 p.m.

Attest:

Mayor

City Clerk

Diane L. Gibson Smith

Recorder

MINUTES 031208